



**ORDER # STF 2013-04  
USDA Forest Service  
Stanislaus National Forest  
Summit Ranger District**

**PROHIBITION OF DOGS – PINECREST DAY USE AREA**

Pursuant to 16 USC 551 and 36 CFR 261.50(a) and (b), and to provide for public safety, the following acts are prohibited with the Summit Ranger District of the Stanislaus National Forest. This Order is effective from May 15, 2013 through September 15, 2013, and May 15, 2014 through September 15, 2014.

1. Possessing, storing or transporting any dog within the Dog Restriction Area of the Pinecrest Day Use Area, as described in Exhibit A and shown on the attached map. 36 CFR 261.58(s).
2. Possessing, storing or transporting any dog on the portion of Forest Trail No. 18E10 within the Dog Restriction Area, as described in Exhibit A and shown on the attached map. 36 CFR 261.58(s).

Pursuant to 36 CFR 261.50(e), the following persons are exempt from this Order:

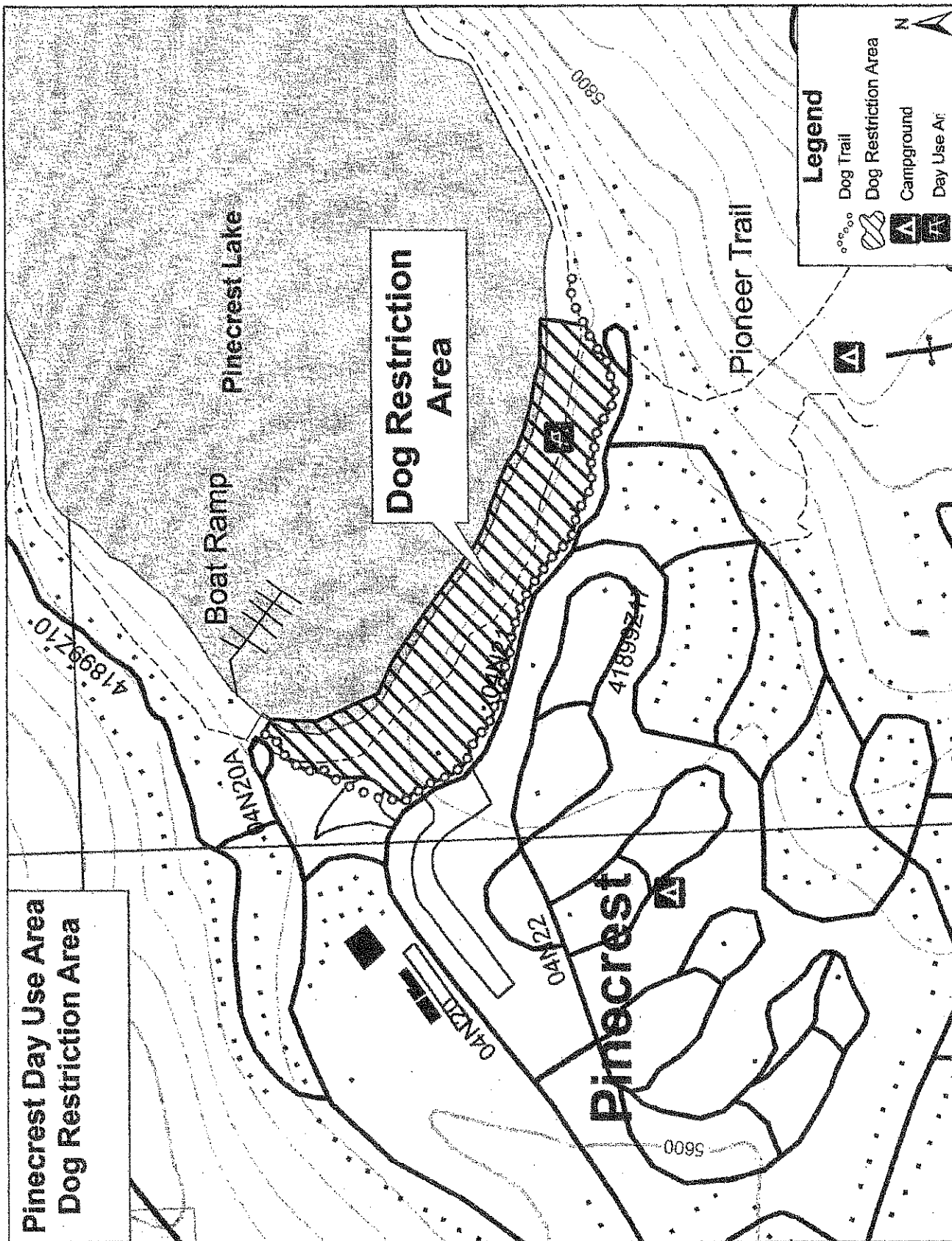
1. Persons with a disability using a service dog.
2. Persons with a permit from the Forest Service specifically authorizing the otherwise prohibited act or omission.
3. Any Federal, State, or local officer or member of an organized rescue or fire fighting force using a dog in the performance of an official duty.

These prohibitions are in addition to the general prohibitions contained in 36 CFR Part 261, Subpart A.

A violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than six months, or both. 16 USC 551 and 18 USC 3559, 3571, and 3581.

Done at Sonora, California, this 7<sup>th</sup> day of May, 2013.

/s/ Christina M. Welch  
**CHRISTINA WELCH**  
Acting Forest Supervisor  
Stanislaus National Forest





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File Code: 1010/1950

Date: May 7, 2013

Subject: Pinecrest Dog Restrictions

To: Project Files

From: Christina Welch, Acting Forest Supervisor

The Stanislaus National Forest intends to issue a temporary Forest Order prohibiting the possession of dogs in the day use beach area at Pinecrest Lake during the busy summer season. The boundary of the Dog Restriction Area is well delineated and posted on the ground. The prohibition on possession of dogs in the day use beach areas is based on an extensive history over the past several decades of uncontrolled dogs, dogs attacking people, dog excrement on the beach, dogs scaring people, especially children, and dogs attacking dogs. The 2004 Pinecrest Basin Management Direction Forest Plan Amendment includes direction that from May 15 to September 15, dogs are not allowed in the day use beach area; the March 2004 Decision Notice (pg. 4) states:

The standard "Dogs are not allowed within the Day Use Zone" is modified to "From May 15 to September 15, dogs are not allowed in the Day Use Zone between Pinecrest Avenue/Pinecrest Lake Road and the lake, and the marina and the fishing platform."

During the peak summer season, congestion within the Day Use Area is extreme. The presence of dogs during this period adds to the risk of dog-human and dog-dog confrontations. In addition, dog waste has become a problem. Many visitors do not comply with leash laws or manage their pets appropriately to minimize confrontations and waste. The Forest Service has limited ability to provide enforcement and voluntary compliance has been ineffective. It is my determination that by minimizing the presence of dogs in the main congested area during the peak season we will improve health and safety for visitors and improve the experience for many visitors.

The circumstances present from 2004 through 2012 will remain present through the 2013 and 2014 summer seasons.

In the 8 years of enforcing an order prohibiting dogs in the day use beach area, the compliance rate from the public gradually improved, but visitors still innocently or intentionally try to bring their dogs into the Dog Restriction Area. Stanislaus National Forest employees, mainly Summit Ranger District recreation staff and occasionally Law Enforcement Officers actively patrolled and monitored the prohibition of dogs in the Dog Restriction Area in 2010 through 2012. During



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that time, they contacted hundreds of visitors with dogs. Most visitors complied with these information and education contacts. Enforcement usually consisted of a verbal warning to remove the dog from the day use area and almost all people complied. Forest officers issued less than 5 violation notices. Dog restrictions in the Day Use Area in the peak summer use season is generally accepted and understood. Although the overall compliance rate is good, two types of non-compliant situations occur: innocent violators who claim that they did not see the warning signs; and knowing violators who walk their dogs in the early morning or late evening when they think enforcement personnel will not be patrolling.

In response to a continued need to reduce the previously-described impacts of uncontrolled dogs according to the direction in the Forest Plan for the Pinecrest Basin, the Forest Service proposes to issue a temporary Forest Order prohibiting the use of dogs in the day use beach area for an additional two years. The Forest Order prohibiting the possession of a dog in the day use beach area will be in effect from May 15 through September 15. The Forest Service will post and/or maintain posted signs to alert the public to these prohibitions and restrictions.

Scoping determined that anticipated effects of the proposed action would be administrative in nature. No ground disturbance will occur, and no additional impacts on any natural resources will occur with the implementation of this project.

I have concluded that this decision may be categorically excluded from documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA) under the National Environmental Policy Act. This action falls within the category identified in 36 CFR 220.6(d)(1) – prohibitions to provide short-term resource protection or to protect public health and safety – and does not require documentation in a decision memo, decision notice, or record of decision. Pursuant to 36 C.F.R. § 215.12(f), this decision is not subject to administrative appeal. I have determined that there are no extraordinary circumstances associated with this temporary closure and the procedures for legal notice and opportunity to comment (36 CFR 215.4) do not apply to this project. Implementation of the decision may begin immediately.

For further information regarding this decision, contact Molly Fuller, District Ranger, Summit Ranger District, #1 Pinecrest Lake Road, Pinecrest, CA 95364; (209)965-3434.